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*Admitted only in Maryland
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•Practice Limited to
Federal Agencies

September 13, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Application No. 10/733,229; Filed: December 12, 2003
For: **Substituted 1-Benzoyl-1-3-cyano-pyrrolo[1,2-a]quinolines and
Analogues as Activators of Caspases and Inducers of Apoptosis**
Inventors: CAI *et al.*
Our Ref: 1735.0810001/RWE/RAS

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Information Disclosure Statement;
2. Three (3) pages of Form PTO-1449 citing seven (7) references;
3. A copy of the seven (7) cited references; and
4. One (1) return postcard.


It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
September 13, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert A. Schwartzman, Ph.D.
Agent for Applicants
Registration No. 50,211

RWE/RAS/law
Enclosures

301867v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CAI *et al.*

Appl. No.: 10/733,229

Filed: December 12, 2003

For: **Substituted 1-Benzoyl-1-3-cyano-pyrrolo[1,2-a]quinolines and Analogs as Activators of Caspases and Inducers of Apoptosis**

Confirmation No.: 4611

Art Unit: 1632

Examiner: *To be assigned*

Atty. Docket: 1735.0810001/RWE/RAS

Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of the documents are submitted herewith.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants advise that, to the best of Applicants' knowledge and belief, each of the following compounds was available from one or more commercial suppliers or was otherwise known prior to December 12, 2002, when Applicants' priority application, U.S. Appl. No. 60/432,608, was filed:

1-Benzoyl-3-cyano-pyrrolo[1,2-a]quinoline

1-(4-Methyl-benzoyl)-3-(1-oxo-ethyl)-pyrrolo[1,2-a]quinoline

3-(Ethyl carboxylate)-1-(4-methoxy-benzoyl)-pyrrolo[1,2-*a*]quinoline
3-(Ethyl carboxylate)-1-(3-methoxy-benzoyl)-pyrrolo[1,2-*a*]quinoline
1-Benzoyl-3-(ethyl carboxylate)-11,11c-diaza-cyclopenta[*c*]-phenan-threne

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

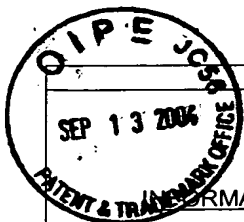
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert A. Schwartzman, Ph.D.
Agent for Applicants
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Date: September 13, 2004

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301490v1



FORM PTO-1449

ATTY. DOCKET NO.
1735.0810001/RWE/RAS

APPLICATION NO.
10/733,229

FIRST NAMED INVENTOR
Cai *et al.*

FILING DATE
December 12, 2003

ART UNIT
To be assigned

INFORMATION DISCLOSURE STATEMENT

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Dumitrascu, F., <i>et al.</i> , "Primary cycloadducts of 1,10-phenanthroline and phthalazine phenacylides with DMAD," <i>Tetrahedron Letters</i> 42:8379-8382, Elsevier Science Ltd (September 2001)
	AS	1	Henrick, C.A., <i>et al.</i> , "Pyridinium Ylids In Synthesis," <i>Aust. J. Chem.</i> 20:2467-2477, Commonwealth Scientific and Industrial Research Organization (1967)
	AT	1	Irwin, W.J., <i>et al.</i> , "Pyrrolo[1,2-a]quinolines. A Re-investigation," <i>J. Chem. Soc. Perkins I</i> 2:250-252, The Royal Society of Chemistry (1974)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 1735.0810001/RWE/RAS	APPLICATION NO. 10/733,229
	FIRST NAMED INVENTOR Cai <i>et al.</i>	
	FILING DATE December 12, 2003	ART UNIT To be assigned

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>2</u>	Kuo, H., <i>et al.</i> , "Synthesis and Reaction of 2,7-Dimethylpyrrolo[1,2-a]quinoline with Electrophilic Reagents," <i>J. Heterocycl. Chem.</i> 16:393-395, HeteroCorporation (1979)
	AS	<u>2</u>	Matusiak, G., "1,3-Dipolar Cycloaddition Reactions of the Ylide Derived from 6-Phenacyl-benzo[f][1,7]naphthyridinium Bromide," <i>Aust. J. Chem.</i> 52:149-151, Commonwealth Scientific and Industrial Research Organization (1999)
	AT	<u>2</u>	Wei, X., <i>et al.</i> , "A Facile One-step Synthesis of Aromatic Indolizines by 1,3-Dipolar Cycloaddition of Pyridinium and Related Heteroaromatic Ylides with Alkenes in the Presence of TPCD [Copy ₄ (HCrO ₄) ₂]," <i>J. Chem. Soc. Perkin Trans. I</i> 1:2487-2489, The Royal Society of Chemistry (1993)

EXAMINER

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INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>3</u>	International Search Report for International Application No. PCT/US03/39550, U.S. Patent and Trademark Office, mailed on June 22, 2004
	AS		
	AT		

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